

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

FIRST APPEAL NO. 2700 OF 2015
WITH FA/2698/2015 WITH FA/2699/2015

KALPANA ARJUN MALI
VERSUS
DISTRICT COLLECTOR JALGAON AND OTHERS

...
Advocate for Appellant : Kale Ajeet B.
AGP for Respondents: Mr.A.M.Phule

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CORAM : S.V.GANGAPURWALA,J.

DATED : 20TH OCTOBER, 2015

PER COURT :-

Notice to respondents returnable in eight weeks. Learned AGP waives service for respondent nos.1 and 2. Mr.S.D.Dhongade, learned counsel waives service for respondent nos.3 and 4.

2] The learned counsel for the appellants submits that this Court has already decided other connected appeals arising out of same acquisition proceedings bearing First Appeal No.2232/15 and other connected appeals vide order dated 12/10/2015. The learned counsel for appellants relied on the judgment of Apex Court in the case of **Ambya Kalya Mhatre (Died) through L.Rs. And others V/s State of Maharashtra reported in 2012 (1) Mh.L.J.**

3] The learned AGP and Mr.Dhongade, learned counsel for respondents accept that the lands covered in First Appeal No.2232/15 with connected appeals and the lands involved in the

present appeals are acquired for the same project, from the same area and vide the same notification and the matters are remitted to the reference Court for decision afresh.

4] In light of above, in the present appeals also, the same course is required to be followed.

5] Impugned judgments and awards are quashed and set aside. Parties are relegated before Reference Court. Parties shall appear before reference Court on 16/11/2015. Parties are entitled to adduce additional evidence First appeal accordingly disposed of. No costs.

[S.V.GANGAPURWALA,J.]

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